

**MINUTES**  
**OF**  
**ARCHITECTURE AND ENGINEERING**  
**JOINT TASK FORCE**  
City of San Antonio Municipal Plaza  
1<sup>st</sup> Floor, Plaza Room B  
114 W. Commerce St.  
San Antonio, Texas 78205  
June 12, 2012  
1:00 p.m.

**1. Preliminary Matters**

- a. **Call to order.** Meeting was called to order by Mr. Dan Hart, AIA, P.E., Presiding Officer at 1:05 pm.

Item 2a was taken out of order to determine Presiding Officer for the meeting.

- b. **Roll call.** Roll call was taken, and all Task Force members were present.

Charles “Chuck” Anastos, AIA	TBAE
Lamberto “Bobby” Balli, P.E.	TBPE
Debra Dockery, AIA	TBAE
Daniel Hart, AIA, P.E. – Public Architect	TBAE
Gary Raba, D.Eng., P.E.	TBPE
Jim Winton, P.E. – Public Engineering	TBPE

- c. **Determination of a quorum.** Quorum was present.

- d. **Recognition of guests.**

Carrie Holley-Hurt	Sunset Commission Staff
Steven Ogle	Sunset Commission Staff
Govind Nadkarni, P.E.	Govind Development, LLC
Jennifer McEwan	Texas Society of Professional Engineers (TSPE)
David Lancaster	Texas Society of Architects (TSA)
Kathy Grant	TSA

**TBPE Personnel**

Lance Kinney, P.E.	Executive Director
Priscilla Pipho, MPA	Deputy Executive Director
David Howell, P.E.	Director of Licensing
C.W. Clark, P.E.	Director of Compliance & Enforcement
Dewey Helmcamp III, JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

**TBAE Personnel**

Cathy Hendricks	Executive Director
Scott Gibson	General Counsel
Glenn Gary	Communications Coordinator
Michael Shirk	Managing Litigator

- e. **Public comment.** None.

## 2. **Procedural Matters**

### a. **Presiding Officer.**

Task Force members unanimously agreed that a representative from each board will nominate a member to be co-presiding officers who will alternate as Chair for every other Task Force meeting. Mr. Hart will preside over the current meeting, and Dr. Raba will chair the next meeting.

**MOTIONS:** It was MOVED/SECONDED (Anastos/Dockery) to nominate Dan Hart, AIA, P.E., as the co-presiding officer on behalf of the Texas Board of Architectural Examiners. MOTION PASSED UNANIMOUSLY.

It was MOVED/SECONDED (Ballí/Winton) to nominate Gary Raba, D. Eng., P.E., as co-presiding officer on behalf of the Texas Board of Professional Engineers. MOTION PASSED UNANIMOUSLY.

### b. **Enabling legislation for task force – determination of the task force’s purpose.**

Mr. Hart referred to Subsections 6 (a) and (b) of HB2284 which details the responsibilities of the task force and the expiration date of the Task Force’s responsibilities.

### c. **Procedures for conducting meetings – introduction of matter, order of deliberations, method of expressing will of the task force.**

It was MOVED/SECONDED (Anastos/Balli) that minutes are to record motions adopted as the Task Force’s action only with little or no commentary. MOTION PASSED UNANIMOUSLY. Actions taken by the Task Force will be referred to the respective Boards as recommendations for formal action as appropriate.

### d. **Ground rules for task force deliberations.**

The Task force members agreed that everyone should be receptive to all opinions being offered. Casual exchange should be allowed and heated arguments avoided. The members should also keep in mind that the primary mission of this Task Force as mandated by Legislature is to review areas of overlap with the responsibility to protect the health, safety, and welfare of the citizens of Texas.

## 3. **Designation of Particular Activities as Architecture, Engineering, or Both**

### a. **Design of mixed-use projects – buildings intended for industrial or other engineering use which include office, assembly or other human occupancy.**

**TASK FORCE RECOMMENDATION:** Continue to use current statutory thresholds to determine whether an architect or engineer is required on a case-by-case basis.

**TASK FORCE DIRECTION TO STAFF:** Distribute copies of previously developed draft occupancy matrices to Task Force Members.

**TASK FORCE DIRECTION TO STAFF:** Contact building officials for examples of this scenario to ascertain what confusion exists about buildings which have more than one use. Staff should obtain a sample from various sized communities. Mr. Ballí suggested that TBPE start with the Governmental Advisory Committee input.

Ms. Dockery volunteered to review codes regarding incidental use.

- b. **Design of foundations – distinguishing architectural and engineering services and work in foundation design; ascertaining foundation design services and work which is both architecture and engineering; ascertaining the meaning of the term “simple foundation” as used in the statute.**

**TASK FORCE RECOMMENDATION:** Continue to use current statutory thresholds to determine whether an architect or engineer is required.

**ACTION:** Task Force delegated consideration of the matter to Task Force member Dr. Gary Raba, P.E. and Govind Nadkarni, P.E., TBPE Emeritus Member, to develop and report a recommended working definition for “simple” foundation to the Task Force.

**ACTION:** Staff should use the current threshold levels when responding to inquiries from the public until a recommendation is made by the Task Force. Any complaints received by either agency should be discussed between staff from both agencies.

- c. **Surface drainage – distinguishing architectural and engineering services and work in site drainage and hydrologic design.**

**TASK FORCE RECOMMENDATION:** Site drainage is primarily an engineering function with limited situations where architects can do design.

**ACTION:** The Task Force delegated the issue to Bobby Ballí, P.E., and Jim Winton, P.E., to develop recommendations for criteria on permissible drainage design for architects with input from Task Force member Chuck Anastos, AIA, and to report recommendations to the Task Force.

- d. **Door, window, hardware and fixture schedules – identified as architectural plans; deliberation on circumstances in which specifying materials and compiling schedules is an engineering function or an architectural and engineering function.**

**TASK FORCE RECOMMENDATION:** Engineers can specify door, window, hardware, and fixture schedules if a code, rule, or statute requires an engineer to do so. (For example – TDI Windstorm requirements.)

- e. **Design of roofing – deliberation upon the distinction under the law between architectural and engineering plans and specifications in the design of roofing and implementation of the law to specific aspects of roofing design.**

**TASK FORCE CONCLUSION:** No recommendation is necessary. The statutes provide sufficiently clear guidance as to the distinction between architectural and engineering responsibilities for roofing design.

**ACTION:** TBPE Staff to send a copy of the Roofing Policy Advisory Opinion before next meeting to Task Force members for review.

- f. **Design and depiction of building systems – structural, electrical, mechanical designs specified as “engineering plans and specifications” while depiction of building systems, including structural, electrical and mechanical systems within a cross-section of a building is designated as within the scope of architecture and engineering.**

**TASK FORCE RECOMMENDATION:** Engineers are responsible for the design of structural, electrical, mechanical, electronic, fire suppression, geotechnical systems, or other engineering systems in a building. Both Engineers and Architects can depict or include a representation of these systems within plan views and cross sections as needed. It was recommended to reference the appropriate design plans and documents as needed.

- g. **Reconciling §§1001.0031(d)(2) and 1051.0016(b)(2) with §1051.0016(a)(2), Texas Occupations Code - cross-section of building depicting components from a hypothetical cut line through the building to include building systems.**

**TASK FORCE RECOMMENDATION:** Architects are responsible for the primary design of wall sections. Both Engineers and Architects can depict or include a representation of engineering systems within plan views and cross sections as needed but the architect does not design systems designated as exclusively engineering and an engineer cannot design features designated as exclusively architecture. It was recommended to reference the appropriate design plans and documents as needed

**Closing Remarks.**

Task force members unanimously agreed that this was a successful meeting. It was suggested that agency attorneys work together and review possible rule changes that might clarify issues without contradicting statutes.

Next meeting is scheduled for July 25, 2012, at 10:30 am in the Texas Board of Professional Engineers conference room in Austin.

**4. Adjournment.**

Meeting adjourned at 4:55 p.m.

Date approved by TBPE/TBAE Task Force as submitted:

September 25, 2012

Date accepted by TBPE Board:

November 29, 2012